

COMMITTEE ON PUBLIC WORKS AND PURCHASING
(Standing Committee of Berkeley County Council)

Chairman: Mr. Caldwell Pinckney, Jr., District No. 7

A meeting of the **COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Standing Committee of Berkeley County Council, met on **Monday, January 12, 2004**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:51 p.m.

PRESENT: Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Chairman; Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Steve C. Davis, Council Member District No. 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. James H. Rozier, Jr., Supervisor ex officio, was excused from the meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Pinckney called the meeting to order and asked for approval of minutes from the Committee on Public Works and Purchasing Meeting held December 8, 2003.

APPROVAL OF MINUTES

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve the minutes as presented. The motion was passed by unanimous voice vote of the Committee.

A. J. Marc Hehn, Berkeley County Water & Sanitation Authority Director, Re: 1) Sealed Bids: Whitesville Water Storage Tank; **2) Surplus Timber** at Berkeley County Landfill.

1. Mr. Marc Hehn stated he was seeking the Committee's approval of the low bidder, Municipal Tank Coating and Sandblasting, in the amount of \$115,300, to paint the Whitesville Water Storage Tank.

It was moved by Council Member Crosby and seconded by Council Member Steve Davis to approve the low bid of Municipal Tank Coating and Sandblasting, in the amount of \$115,300. The motion was passed by unanimous voice vote of the Committee.

2. Mr. Hehn asked for the Committee's authorization to sign the October 22nd agreement with Sabine & Waters, Environmental Land Management Consultants, to

harvest 52 acres of timber from the Skinner Tract of the Berkeley County Landfill. This would reap approximately \$30,000 in income and would stay in the Solid Waste Fund.

Council Member Fish asked if stumps would be removed?

Mr. Hehn responded that Sabine & Waters would only harvest the timber and not remove the stumps. The purpose for harvesting this timber would be for the mitigation of some minor wetlands at the Landfill. The property was an old burrow pit from when Highway 52 was originally constructed. Wetlands would be filled, and part of the pre-73 landfill would be used to mitigate them. It would be a 3 or 4 or 5:1 ratio, but it would be better, because this area could eventually be a C&D area.

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve the agreement with Sabine & Waters to harvest 52 acres of timber at the Berkeley County Landfill. The motion was passed by unanimous voice vote of the Committee.

B. Frank Carson, PE, County Engineer & Public Works Director, Re: 1) Request for variance to Berkeley County roadway standards for Liberty Hall Project; 2) Update on NPDE's Phase II Storm Water Program.

1. Mr. Frank Carson stated the Liberty Hall Project was within a subdivision in the City of Goose Creek. The project was similar to other projects recently presented to Council, wherein, the developer and designer brought forward elements that were not consistent with the County's road standards, such as right-of-way widths, radius at right-of-way intersections, landscaping or existing specimen trees in the right-of-way. In the case of the Liberty Hall Project, the city asked that the developer consider some traffic calming devices. The traffic calming devices are something that the County has not had in any of its subdivision projects. There was always disagreement as to whether these devices were good or not. In this case, there should not be a problem, because the buyers would see the devices when they purchase the property. On the main thoroughfare, the designers have shown a ramp. In the secondary street, where a car would be coming to a stop, there was a gradual slope. It was raised up to curb elevation, so there was no need for a curve ramp. The Committee's approval was not being sought for specific locations, because that could change.

Council Member Crosby asked if there would be sidewalks provided by the developer down Liberty Hall Road?

Ms. Betty Niermann, representing Centex Homes, responded that sidewalks would not be provided down Liberty Hall Road, but would be provided within the Liberty Hall Subdivision.

Council Member Crosby stated the Enhancement Committee he chaired on CHATS (Charleston Area Transit Study), had been approved for funds to provide

sidewalks down Liberty Hall Road. A proposal was made to start at the railroad tracks in the first phase. Construction would continue on to Dogwood Park. The Enhancement Committee was encouraging developers in the area to try and help with these sidewalks.

Chairman Pinckney asked what other responsibilities the County would have with regard to the maintenance of this subdivision?

Mr. Carson responded that other proposed variances pertained to canopy trees that would be along the main thoroughfare, which was going to have a 60-foot right-of-way. Additional right-of-way was being provided for the trees. In another area, the County was asking for an allowance for reduction in the right-of-way radius. The landscaping would be outside the right-of-way, so, there would be no question about the County having responsibility for that. Any streetscape materials would be done under encroachment permit. In this case, it would probably be the Homeowner's Association responsible for maintenance. If they were not maintained, the County's responsibility would be for safety, and we would probably remove it.

Council Member Spooner questioned the durability of the ramp.

Mr. Carson responded that there was no durability issue with this twenty-foot ramp, only aesthetic. If it was asphalt and painted to look like brick, and its appearance was compromised somehow, the County would want the Homeowner's Association to repair or rehabilitate that. These ramps, similar to speed tables, were flat through the entire intersection and not a speed bump. The radius was in the right-of-way and not in the curbing.

Mr. Carson continued by stating that designers had proposed a reduction in the street width, defining it as traffic calming and partly as an enhancement to the environment of the neighborhood. The County's compromise was for the reduction to be tried on two streets. This would be a two-foot reduction in pavement width. The designers agreed to help the County monitor the effect, receiving feedback from the residents and buyers over a period of time. This would help in knowing what to recommend in the future.

Chairman Pinckney asked what the County's responsibility would be at that point if the two-foot reduction did not work?

Mr. Carson responded that the two streets involved would have the least amount of traffic in the neighborhood. It did not pose a problem long term. Although, reductions would not be allowed in the future if there were any problems with these reductions.

Council Member Steve Davis asked for assurance that there would be no cost to the County in association with these variances.

Mr. Carson responded that there would not be any cost to the County.

It was moved by Council Member Crosby and seconded by Council Member Mims to approve for consideration a request for variances allowing for the proposed improvements of various traffic calming measures and streetscape improvements by the developer and designer of the Liberty Hall Project in Goose Creek. This motion was passed by unanimous voice vote of the Committee.

2. Mr. Carson stated there had been some significant developments since his last update to Council with regard to the NPDE's Phase II Storm Water Program. Application for permit was submitted in March, 2003. In December, DHEC issued a general permit. DHEC has now requested that the County modify their "application". The County did not apply for the general permit, because it did not exist at the time. The general permit has been reviewed by approximately 80 regulated entities in South Carolina, including Berkeley County, the City of Hanahan and the City of Goose Creek. A number of entities, including the Municipal Association of Storm Water Manager's Group and Berkeley County, appealed that permit. The provisions are "stayed" until that is resolved. The County's appeal is based on feelings that DHEC had overstepped their bounds in the enforcement. They included items covered elsewhere under TMDL's or other existing environmental regulations. The County would like DHEC to derive more reasonable permit language and not hold the County to a higher standard that was envisioned in the Clean Water Act. In the meantime, the County would respond to issues in DHEC's request for additional information in the application. Regardless of the final appeal decision, an application would still be required, as the County would still want to be covered by a general permit. This would be to Berkeley County's advantage.

Mr. Carson continued by stating the permit was informative by providing certainty what the County would need to do over the five-year permit period. The County does not see the need for setting storm water fees and establishing a utility in at least the first two years of the permit cycle. At some point, County Council would be asked what was wanted out of the Storm Water Program. If Council wanted something more than compliance with Phase II, then it would probably require some sort of fee if maintenance or capital projects were incorporated. Through development fees, inspection and planner view fees, and some general revenue type of budgeting, it was felt that the County could absorb that first couple years' cost. Dorchester plans to continue charging an approximate \$30 fee per household. Other entities are looking at similar type charges. That is not necessary because of the regulation.

Chairman Pinckney asked if in meeting compliance an option would be no storm water fee?

Mr. Carson responded that it was a five-year permit. A system inventory was needed for costly items to satisfy the requirements. This was something that would not be absorbed from development fees, because it was not related to development. That will create a higher cost, but deferred until the third year of the permit. There may be a need for a fee at that point after some monitoring. The first items to be completed are public

education, drafting of ordinances, and a look at plan review and inspection elements. Plan review and inspections are more costly, but can be offset by fees paid by the individuals using that service. Hanahan has expressed interest in Berkeley County handling most of their review services. The County does that now for subdivisions, and it would help recover costs. Indication from Council as to whether Berkeley County should continue doing that was needed. It was recommended that it continue, in order to have better continuity, as the County still maintained the drainage systems in the streets of municipalities. It is in the County's best interest to see that done properly. Unless there was an objection from Berkeley County Council, staff would continue to work with the County Supervisor. Any agreements would be brought before Council.

Mr. Carson's update on NPDE's Phase II Storm Water Program was accepted by the Committee as information only, with no action required.

It was moved by Council Member Crosby and seconded by Council Member Spooner to adjourn the Committee on Public Works and Purchasing. This motion was passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:14 p.m.

February 9, 2004
Date Approved

**COMMITTEE ON PUBLIC WORKS AND PURCHASING
(Standing Committee of Berkeley County Council)**

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Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis Fish, District No. 5
Mrs. Judy Mims, District No. 6
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **meeting** of the **COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Standing Committee of Berkeley County Council, will be held on **Monday January 12, 2004**, in the Assembly Room, 223 N. Live Oak Drive, Moncks Corner, S. C., following the meeting of the Committee on Land Use, the Committee on Human Services, the Committee on Community Services and the Committee on Justice and Public Safety at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

December 8, 2003

**A. J. Marc Hehn, Berkeley County Water & Sanitation Authority
Director, Re:**

- 1. Sealed Bids:** Whitesville Water Storage Tank.
- 2. Surplus Timber** at Berkeley County Landfill.

B. Frank Carson, PE, County Engineer & Public Works Director, Re:

- 1. Request for variance** to Berkeley County roadway standards for **Liberty Hall Project.**
- 2. Update on NPDEs Phase II Storm Water Program.**

January 7, 2004
S/Barbara B. Austin
Clerk of County Council